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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/753,601 | 01/04/2001 | Kenji Masaki | 018775-813 | 1564 |
| 21839 | 7590 | 06/17/2004 | EXAMINER | |
| BURNS DOANE SWECKER & MATHIS L L P POST OFFICE BOX 1404 ALEXANDRIA, VA 22313-1404 | | | JACKSON, JENISE E | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2131 | |
| DATE MAILED: 06/17/2004 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|------------------------|----------------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/753,601 | MASAKI, KENJI <i>JM</i> |
| | Examiner | Art Unit |
| | Jenise E Jackson | 2131 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) ____ is/are allowed.
- 6) Claim(s) 1-8 and 10 is/are rejected.
- 7) Claim(s) 9 is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date ____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
2. Claims 1-8, and 10 rejected under 35 U.S.C. 103(a) as being unpatentable over Kakiuchi et al in view of Nagashima et al.
3. As per claims 1, 5, 7, Kakiuchi et al. discloses an output system having a data processing device(see fig. 1, sheet 1, see col. 9, lines 30-39) and an output device for outputting data in a specific format, which is sent from the data processing device(see col. 4, lines 61-67, col. 5, line 1), driver software for controlling an output device being included in the data processing device(see col. 6, lines 38-43, col. 10, lines 34-45, col. 11, lines 24-42), and a first controller for determining whether data on output request passes the driver software, in sending data to the output device(see col. 4, lines 20-31, col. 9, lines 54-65, col. 10, lines 26-33, col. 12, lines 36-49). Kakiuchi et al. does not disclose and a second controller for prohibiting data from being sent to output device for output request on which data bypasses the driver software. However, Nagashima et al. does disclose a second controller(4) for prohibiting data from being sent to output device for output request on which data bypasses the driver software(see fig. 1, sheet 1, col. 3, lines 11-32, 50-65), because Nagashima discloses that the controller sends the data directly to the output device.

4. It would have been obvious to one of ordinary skill in the art at the time of the invention to include Kakiuchi with Nagashima that discloses a second controller for prohibiting data from being sent to output device for output request on which data bypasses the driver software, the motivation is that crimes of forging documents, such as paper monies or securities, is increasing(see col. 1, lines 16-20 of Nagashima). In order to prevent such crimes, an image identifying circuit identifies these registered data, to forcibly inhibiting illegal copying(see col. 1, lines 20-26 of Nagashima). Thus, the circuit of the external controller is able to prevent illegal copying on which data bypasses the driver software.

5. As per claims 2, 6, recites limitations already addressed(see above). Further claim 2, Kakiuchi does not disclose an encryptor for encrypting data passing the driver software, provided on the data processing device; a decryptor for decrypting the data encrypted by the encryptor, provided on the output device. However, Nagashima discloses an encryptor for encrypting data passing the driver software, provided on the data processing device; a decryptor for decrypting the data encrypted by the encryptor, provided on the output device(see col. 3, lines 12-32, 50-57). The motivation to include an encryptor and decryptor of Nagashima is that it prevents illegal uses of images and documents, by encrypting the image signals, and decrypting the encrypted signals being transmitted(see col. 1, lines 50-59, col. 2, lines 1-8 of Nagashima)

6. As per claim 3, recites limitations already addressed(see claim 1 above), further claim 3, Kakiuchi discloses for a prohibiting controller for prohibiting data output to the output device by setting a value which is different from an ordinary value for outputting data to the output device, in response to a data output request to the output device from the data processing device(see col. 10, lines 7-33).

7. As per claim 4, Kakiuchi inherently discloses wherein the setting is a value stored to a specific register(see col. 10, lines 16-20), because the system of Kakiuchi determines if these specific values in images are counterfeit are not(see col. 9, lines 54-65).

8. As per claim 8, the same motivation applies above(see claim 2). Nagashima discloses encrypting an output data from an application program run on the data processing device, and outputting the encrypted data to the output device(see col. 3, lines 11-32).

9. As per claim 10, Kakiuchi discloses an installer program for installing driver software for using the output device(see col. 7, lines 61-67, col. 8, lines 1-5), installing a program for prohibiting data on output request from being sent to the output device(see col. 7, lines 61-67, col. 8, lines 1-5, 9-21).

10. Claim 9 is objected as being rejected on base claim, that sets a specific password for output. The encryptor of Nagashima does not disclose the encryptor setting a specific password for output, Nagashima encrypts the images and decrypts them.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jenise E Jackson whose telephone number is (703) 306-0426. The examiner can normally be reached on M-Th (6:00 a.m. - 3:30 p.m.) alternate Friday's.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (703) 305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).





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